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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,625	07/28/2003	Pieter Maarten Van Gent	2001-1274	4335

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EXAMINER

BELL, BRUCE F

ART UNIT PAPER NUMBER

1746

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/627,625

Applicant(s)

VAN GENT, PIETER MAARTEN

Examiner

Bruce F. Bell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 07/28/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (d) BRIEF SUMMARY OF THE INVENTION.
- (e) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (f) DETAILED DESCRIPTION OF THE INVENTION.
- (g) CLAIM OR CLAIMS (commencing on a separate sheet).
- (h) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

Applicant is requested to place the above section headings prior to each section of their instant specification.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 5, 6, 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Newman, Jr. (5937751).

Newman, Jr. discloses a retensionable screen frame and stretchers. See title. A screen printing frame and bordered fabric stretching device for quickly stretching a screen and for retensioning a screen is set forth. The apparatus includes stretching devices for adjustment of the print registration of a stencil on the screen. The bordered fabric can be quickly released from the frame. See abstract. The frame comprises side-bars 11 that slide along recessed grooves 12. The grooves 12 are on the inside face of the corner legs 16 of the frame. The side-bars 11 have protrusions 14 that fit within grooves 12. The side-bars 11 further comprise threaded rods 15 that fit through elongated slots 42 of corner legs 16. Recessed grooves 17 on the outside face of corner legs 16 serve as a track for blocks 18 to travel. Nuts 19 are tightened and lock down the blocks 18 and the side-bars 11 and by loosening the nuts 19, blocks 18 and side-bars 11 are free to slide along legs 16 within grooves 17 and 12, respectively. An external stretching device 20 comprises a locking head 21 shaped with a recess 40 so as to fit snugly onto block 18. External stretching device 20 also comprises prongs 22 that fit into recessed grooves 17. This combination of features in locking head 21 holds block 18 within head 21. External stretching device 20 further comprises a threaded rod 23 that is attached to head 21 but is free to rotate within housing 32. At the other end of threaded rod 23 is attached a handle 24 for rotating the threaded rod. External stretching device 20 comprises a block 25 with a threaded bore through which passes the threaded rod so that when the handle 24 rotates the threaded rod, block 25 moves along the threaded rod. Block 25 comprises a cupped flange 26 that fits into a recess 27 on legs 16 so as to properly position and secure external stretching device 20 so that by

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turning handle 24 when locking head 21 is holding block 18 within recess 40, the external stretching device 20 moves block 18 along recessed groove 17. This movement causes side bar 11 to move along recessed groove 12. It is desirable to have two external stretching devices 20 at each end of any given side bar so as to position the side bar generally parallel to the opposite side of the frame. See col.4, line 61 – col. 5, line 32. At least one roller is associated with the frame side bar 11 and is used to wrap the sheet around the roller to pull the fabric outwardly over and down onto the side bar where it fits into place on the fastening features of the side bar. See col. 4, lines 13-48.

The prior art of Newman, Jr. anticipates the applicants instant invention as set forth above with respect to the disclosure to Newman, Jr with respect to the instant claims as presented.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 4, 7, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Newman, Jr. (5937751) in combination with Bolde (US 2002/0088846 A1).

Newman, Jr is as disclosed above in the 35 USC 102(b) rejection.

Newman, Jr does not disclose the use of a spring member.

Bolde discloses a coil spring biased shearing element that comprises a slide block that loads a shear blade into position. The coil spring is used to apply the biasing force thereto. See abstract. The compressed coil spring provides a return force that enables movement. The coil spring is adjusted by turning a tension adjustment thumb nut on the compression screw wherein tightening occurs to increase compression and loosening occurs to decrease compression of the coil spring, whereby the slide block moves according to the compression of the coil spring. See paragraph [0036].

The subject matter as a whole would have been obvious to one having ordinary skill in the art at the time the instant invention was made because even though the prior art of Newman, Jr. does not disclose the use of a spring member in the frame as set forth, one having ordinary skill in the art knows that movement of compression members can be done through the use of springs and further can use a combination of spring and screws call compression screws as shown by way of the Bolde patent which shows placing compression on a member through the use of such a screw. Therefore, one having ordinary skill in the art would be motivated to use such a compression screw in the patent to Newman, Jr, so that more accurate tension can be maintained through the use of a compression screw so that the sheet is not overly tensioned or too loosely tensioned. Therefore, the prior art of Newman, Jr in combination with Bolde renders the applicants instant invention obvious for the reasons set forth above.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 4, 5, 10-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 lacks antecedent basis for the phrase "the spring member, since there is not spring set forth in instant claims 1 or 2.

Claim 5 lacks antecedent basis for the phrase "the securing member", since there is no securing member set forth in instant claim 1.

Claim 10 is vague and indefinite with respect to the legs having a contact means for feeding an electric current through sheet metal material, since instant claim 1 never states that the sheet material is a "metal".

Claims 11 and 12 are vague and indefinite with respect the device having a container and a frame and how that device carries out an electrochemical treatment on a sheet metal from the instant claim as set forth. It does not appear that there is any electrical connection between the container and the frame that would enable the electrochemical treatment from the instant claim as set forth. Further it is not clear as to whether the frame is in the container or out of the container or what the actual structure of the device is from the instant claim as set forth. Further claim 12 does not further limit the structure of the container simply by affixing a particular material to be used in the container, since it does not appear that the container is a closed structure. Claims 11 and 12 are further vague and indefinite with respect to the sheet metal and the sheet material. It appears that applicants instant claim is inconsistent with respect to whether

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the material is a metal or just a sheet material with the later, not having to be conductive.


Correction and/or clarification are requested.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bruce F. Bell whose telephone number is 571-272-1296. The examiner can normally be reached on Monday-Friday 6:30 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on 571 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BFB  
August 1, 2006

  
Bruce F. Bell  
Primary Examiner  
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